

MINUTES

Silverton Board of Trustees, Silverton Town Hall – June 27, 2011

Call to Order and Roll Call – 7:30pm

Call to Order – 7:30 PM:

Mayor: Terrence Kerwin
 Trustees present: Jim Lindaman, David Zanon, John Schertz, Chris Tookey, Pat Swonger, Karla Safranski
 Staff: Jason Wells, Dave Michaelson, Brian Carlson, Keith Thompson, Gilbert Archuleta
 Others: Fred Fasching, Carrie Foisel, Darla Hill, Cindy Bryant, Clark Damron, Michael Maxfield, William Alsup, Mark Garvin

I. Public Comment Regarding Agenda and non-Agenda Items

(0:29) Trustee Lindaman mentioned that the San Juan County Sheriff's Department has arranged for horse-mounted patrols in Town, and asked whether some action is needed, as horses are not allowed on Greene Street, per Town code.

Trustee Schertz motioned to allow a temporary waiving of the prohibition of horses on Greene Street, to be effective on July 4, 2011; Trustee Tookey seconded, and the motion passed unanimously via show-of-hands vote.

(3:21) Trustee Zanon mentioned that the temporary sign at the entrance to Town is positioned within the pedestrian right-of-way. Mr. Wells stated that he has spoken with the Sheriff's Department, and that they will request that CDOT moves the location of the sign. Mr. Wells further noted that the information on the sign is inaccurate in that it mentions a ban on all fireworks, whereas it should read that "aerial and explosive" fireworks are prohibited. He has forwarded this request to the Sheriff's Department as well.

(5:40) Ms. Bryant requested time during "appointments" to provide an update on the Blair Street signs. This request was granted.

(1:53:55) Mr. Alsup provided review and criticism of the Fire Department organizational revisions, as drafted by Ken Charles. He further asked whether the Town Administrator may be terminated by action of the electorate. Mayor Kerwin replied that such an action is the prerogative of the Town Board, but that he will research whether other options exist. Trustee Safranski expressed her support for the Town Administrator.

II. Appointments

a. (5:57) Darla Hill – Step Back in Time

Ms. Hill provided an overview of the proposed event, which is proposed for June, 2012. She requested that Kendall Mountain rental fees be waived. Trustee Lindaman stated that the Town's policy regarding fee-waivers must be reviewed during this year's budget discussions. Trustee Safranski stated her support of the request. She asked whether the group has made donations to the San Juan Historical Society. Ms. Hill replied that they do not, as their event is priced so as to only recover costs. Mr. Wells reminded the Board that Ms. Srebacic has the right to decline discount requests that affect her own fee, per her contract. Mr. Carlson will put Ms. Hill in touch with Ms. Srebacic. Ms. Hill requested a decision by August, 2011.

b. (17:13) Gilbert Archuleta – Silverton/SJC Fire Department

Mr. Archuleta addressed the recent email correspondence from the Town Attorney regarding the property at 740 Reese, and also regarding the organizational status of the Fire Department relative to both the Town and to San Juan County governments. Mayor Kerwin stated that a prerequisite of CIRSA coverage is that the Fire Department Board must be appointed by the Town Board. Mr. Wells noted additional CIRSA requirements, including fiscal and managerial control, notice requirements, and record-keeping. He reiterated the need for a Fire Department governing document which clarifies such arrangements. Trustee Safranski requested that a summary of the organizational structure of the Fire Department be provided to the Town Board at their next meeting. Mr. Wells stated that there is a meeting scheduled with Ken Charles of DoLA on Wednesday to discuss this topic.

(59:28) UNSCHEDULED APPOINTMENT: Cindy Bryant

Ms. Bryant provided an update of the signs on Blair Street. She noted that four hitching posts have been installed, and that five more are to be installed. She requested that Mr. Archuleta provide markings for post placement, and further requested a variance for the right-of-way encroachment. Mr. Wells stated that a variance request must be made at a separate meeting, and must be posted and published in advance of the meeting. Mr. Archuleta stated that the encroachment currently exceeds one foot, which will cause parked vehicles to protrude into Blair Street. He suggested that post-holes instead be drilled into the existing sidewalk.

III. Trustee Reports

(1:09:55) Trustee Lindaman reviewed Finance Committee proceedings. He stated that there were questions regarding YTD legal expenses and YTD cash flows, and that the fireworks appropriation was approved for disbursement. He further noted approval of accounts payable and payroll.

(1:11:02) Trustee Swonger provided an update of Operation Linkup efforts. He noted that he met representatives of Tri-State Power during the "Mountain Connect" conference, and that they gave a cost estimate of \$800,000 to complete the sixteen-mile fiber optic connection.

(1:12:25) Trustee Safranski provided an update regarding the permanent banner location along Greene Street, noting that the poles have been installed, and that she is awaiting a final engineer sign-off from Mr. Bosworth before banners can be placed.

IV. (1:15:12) Consent Agenda*

- a. Approval of June 13, 2011 Minutes
- b. Approval of Accounts Payable
- c. Approval of Payroll
- d. Liquor License Renewal – Silverton Brewery
- e. Issuance of Second Credit Card Under Existing Citizens State Bank Account

Trustee Zanoni motioned to approve the consent agenda; Trustee Schertz seconded, and the motion passed 6-0 via roll-call vote, with Trustee Swonger abstaining.

V. Public Hearing

- a. Emergency Ordinance 2011-02 – Allowing OHV Use on County Road 110-A

(1:15:50) Mr. Wells provided background to the Ordinance, noting that as an Emergency Ordinance, it will take effect five days after adoption. He further noted that Colorado Code Publishing recommends that Emergency Ordinances take effect immediately upon adoption. This emergency Ordinance contains a one-year sunset provision. Trustee Safranski inquired about the proposed citizen review committee, whether this has been appointed, and if so, by whom. This committee is yet to be appointed by the Mr. Michaelson. She further reiterated the need for additional signage. Mr. Michaelson replied that much of the recommended signage was erected this week. Mr. Wells noted that the ordinance has the support of the Chamber of Commerce.

Trustee Swonger motioned to approve Emergency Ordinance 2011-02; Trustee Safranski seconded, and the motion passed unanimously via roll-call vote.

VI. (1:21:58) New Business

- a. Consideration of Operation Linkup Memorandum of Understanding

Trustee Safranski motioned to approve the MOU; Trustee Swonger seconded, and the motion passed unanimously via roll-call vote.

VII. Administrator's Report**

- a. (1:41:38) BLM/Sunnyside Gold Corporation Land Swap

Mr. Wells informed the Board that there is an opportunity through the end of July, 2011 for the Town to comment in the proposed land exchange.

- b. (1:44:44) BLM Town Land Conveyance

Mr. Michaelson stated that the conveyance may take place by October 1, 2011. Mr. Wells stated that a fourth lease/continuance must be executed, and that an archaeological review and soil tests are still needed. Mr. Michaelson stated that deed-restrictions limiting use of the property to passive recreation will sufficiently address the results of the soil tests.

- c. Meetings
- d. Other
 - i. (1:30:47) Heli Pad

Mr. Michaelson provided an overview of the proposed helicopter landing pad, which is proposed for the cement pad on the "old-dump" BLM property, soon to be conveyed to the Town. This is to be a 100-foot by 100-foot pad. The San Juan County Commissioners have approved use of their equipment and staff for site improvements. Proposed users will include Flight-for-Life, Search and Rescue, and State Avalanche Control. Mr. Maxfield added that this site is meant for emergency use, but that other uses can be arranged. Mr. Wells stated that this improvement will help to expedite the conveyance from BLM.

Trustee Tookey motioned to approve the use of the site for a helicopter pad, and to approve the commencement of needed site improvements; Trustee Schertz seconded, and the motion passed unanimously via show-of-hands vote.

- ii. (1:38:24) Donation of School Roof

Mr. Michaelson stated that the Silverton School has offered to donate their old metal roof to the Lackawana Mill building. He will make arrangements for transport and storage, and will keep the Board apprised of developments.

OTHER ITEMS

(1:57:51) Trustee Safranski inquired as to the status of the Anvil Mountain housing project. Mr. Wells stated that he would meet with Joan Fagin and Engineer Mountain this week. Mr. Michaelson stated that infrastructure can be installed this summer, as that work is estimated to take 30 days, and engineers can work until the ground is frozen. Mr. Wells stated that he would provide another update during the next Board meeting.

- VIII. Department Reports
 - a. San Juan County Sheriff
 - b. Public Works

- IX. Adjourn – 9:35pm

*The following items on the Board of Trustees Agenda are considered routine by the Town Administrator and shall be approved or adopted by motion and majority vote of the Board of Trustees unless the Mayor or a Trustee specifically requests during "Approval of Agenda" that such item be considered under the regular business of the Board. In such event, the item shall be removed from the "Consent Agenda" and Board action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading "Consent Agenda" will appear in the Board minutes in their proper order.

**There are no written materials to accompany this agenda item